



BOARD OF BARBERING AND COSMETOLOGY
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
P.O. Box 944226
SACRAMENTO, CA 94244-2260

INFORMATION: (916) 323-9020 FAX: (916) 445-8893 INTERNET: www.barbercosmo.ca.gov



Board of Barbering and Cosmetology
Doubletree Hotel San Jose
2050 Gateway Place
San Jose, CA 95110

MEETING OF THE BOARD OF BARBERING AND COSMETOLOGY

MINUTES OF NOVEMBER 15, 2004

BOARD MEMBERS PRESENT:

Dr. Della Condon, President
Joe Gonzalez, Vice President
Richard Hedges
Dr. Waddell Herron
Frank Lloyd
Angela Reddock

STAFF MEMBERS PRESENT:

Terresa A. Ciau, Executive Officer
Albert Balingit, Staff Counsel
Kristy Underwood, Administrative Analyst
Kelly Schmidt, Staff

BOARD MEMBERS ABSENT:

Bonnie LaChappa
Kim McInnes
Candice Pederson

- **Agenda Item #1, CALL TO ORDER/ROLL CALL**

Dr. Condon called the meeting to order at 9:00 a.m. Dr. Condon welcomed the visitors and noted quite a few students in attendance. The Board members introduced themselves and discussed their background. Staff was introduced.

- **Agenda Item #2, PRESIDENT'S REPORT**

Dr. Condon asked Mr. Hedges to discuss his recent activities. Mr. Hedges attended the open house at Skyline College. He was impressed with the attitude of the students and instructors, and the facilities. He also discussed his ride-along with inspectors investigating the use of industrial silicone. He noted there are only 17 inspectors; the public's assistance is needed to keep an eye out and alert the inspectors. He also visited testing sites. He was impressed by staff.

Mr. Gonzalez noted he has been dealing with a lot of disciplinary cases with people who do not have a license. He asked the public to alert authorities if they come across someone working without a license. Mr. Gonzalez noted he has been giving lectures at colleges regarding hair loss. Continuing education is very important. Estheticians and manicurists are needed now.

Dr. Condon noted Mr. Gonzalez's very important work with cancer patients undergoing chemotherapy.

Dr. Condon noted the committee is looking for a volunteer to be liaison with staff on the proposal for a new computer based testing vendor. Mr. Gonzalez volunteered for the position. Mr. Lloyd noted Ms. Pederson may also be interested, although she was not in attendance at the meeting. A motion was made and seconded to recommend Mr. Gonzalez and Ms. Pederson to work with the Board in this endeavor. The motion passed by a unanimous vote.

Dr. Condon commented that the apprenticeship program is an important issue at hand. The License and Exam Committee has formed a task force to review the program and report back to the board and the legislature. The task force consists of Mr. Hedges, Mr. Lloyd, Jerry Tyler and Red Carter.

- **Agenda Item #3, EXECUTIVE OFFICER'S REPORT**

- A. Workload Statistics**

Ms. Ciau presented the workload statistics. She noted that in monitoring backlogs they have found that any backlog in the mailroom and cashiering department contributes to the overall backlog. The numbers presented were as of October 31st, with three weeks backlog in evaluation of pre-applications, mostly out of state applications. She noted staff is addressing this issue. Ms. Ciau noted in the future schools with low passing rates will be able to be identified. The data currently on the website is very old but will be updated in the near future.

- B. Miscellaneous Items**

Ms. Ciau noted that surveys are currently being sent out with renewal notices in response to AB 2449. This will allow the Board to collect statistics regarding the number of independent contractors and employees and whether licensees are working full time or part-time, etc.

Dr. Condon requested a status on the process of developing the criteria for allowing examinees to transfer up to 5 points from their practical to written portion of the exam to aid their passing. Ms. Ciau indicated changing of the scores will impact their collection of data. A cost estimate is being sought at this time. The legislative packages are ready to move forward. Once filed, a public hearing will be held.

Dr. Condon thanked Ms. Ciau for providing Board members with a copy of the Occupational Analysis, outlining the skills that are currently in use that are significant and important that should be made part of the exam. She noted foundation skills are also important.

- **Agenda Item #4, APPROVAL OF BOARD MEETING MINUTES**

There was a motion and a second to approve the minutes of August 16, 2004 as presented. The minutes were approved by a unanimous vote.

There was a motion and a second to approve the minutes of September 27, 2004 as presented. The minutes were approved by a unanimous vote.

- **Agenda Item #5, DISCUSS SCHEDULING OF COMMITTEE MEETINGS**

Staff has scheduled tentative committee meeting dates for the License and Exam committee and the Enforcement and Inspections Committee. These dates were developed to meet the timelines of the strategic plan.

There was a motion and a second to approve the meeting dates for the License and Exam Committee as presented by staff. The meeting dates were approved by a unanimous vote.

There was a motion and a second to approve the meeting dates for the Enforcement and Inspections Committee as presented by staff. The meeting dates were approved by a unanimous vote.

- **Agenda Item #6, SCHEDULE 2005 BOARD MEETING DATES**

The possible dates and timeframes were discussed for Board meetings in relation to the scheduled committee meetings. Intervals of six to eight weeks were discussed. Staff noted there could be a hardship on staff to adequately prepare if the meetings were too close together.

A motion was made that the meetings be held every eight weeks. The motion was seconded.

Dr. Condon opened the meeting for public comment on this issue. The public did not wish to address the Board on this issue.

The motion passed with a vote of 5-1.

Dr. Condon called for a recess to add more chairs. The meeting was reconvened.

- **Agenda Item #7, LEGISLATION AND REGULATIONS**

- A. Assembly Bill 2168:**

- Ms. Ciau gave a summary of AB 2168. This bill would extend the instructors license for a year while standards were being reviewed. The Governor vetoed the bill.

- **Agenda Item #8, 2004-2005 STRATEGIC PLAN OBJECTIVES UPDATES**

- A. Follow up Information on Newsletter:**

- Board members requested additional information about posting the newsletter on the website. Staff found there would not be a lot of fiscal resources required. Staff is recommending a quarterly newsletter, and will develop a projection. Cindy Walton, the editor from the staff, will work with a Board liaison. The Board liaison will be responsible for finalizing articles. Dr. Herron volunteered to be the Board liaison. Dr. Condon reiterated how important the newsletter was to keep everyone apprised of changes in the industry and its future. She also noted it was important to have a Board member review the articles for accuracy.

- B. Report of the Licensing and Examination Committee:**

Dr. Condon reported on November 14th meeting of the Licensing and Examination Committee. She presented an overview of the task force and its suggestions and ideas. One issue discussed was the instructor standards. The committee concluded the qualifications under a certificate are not enough for an instructor. There was a clear feeling that instructors should have at least a 12th grade education or equivalent, they must have a license, should complete a Board-approved training course, 10 months of practice as a teacher assistant, 600 hour requirement of courses to teach how to teach, certification program must be maintained and kept in force, 3 years of comprehensive establishment experience, continuing education, internal and external training, a standard curriculum for training and a career ladder concept. Dr. Condon opened public comment.

Loretta Hernandez commented it is important to discuss these issues.

Kathy Gagnier, Skyline student, read a statement expressing her concern about the Governors response to AB2168. She supported the idea of requiring a credential for instructors, instructor standards should not be voluntary.

Greg Cisneros, Skyline College, commended his instructors at Skyline. To have substandard instructors would create substandard practitioners.

Kelly Morgan, Skyline College, keep standards high.

Jerry Tyler spoke from an employers perspective and discussed private vs. public instructors and apprenticeship programs, and hoped the changes in instructor standards can address those issues. He questioned what happened to the supervisors license.

The Board agreed a one size fits all resolution would not be appropriate.

David Galang, instructor at Skyline, commented certs should be working under credentialed teachers to learn how to teach.

1. Recommendations for Instructor Standards

Based on the above, staff will prepare a report with the recommendations of the committee and present to the Board for approval.

2. Recommendations on the Use of Fingerprint Cards for Background Investigations of applicants

At their November 14th meeting, the Licensing and Exam Committee adopted staff's recommendation to recommend the Board have a report be completed to the legislature to have them sponsor legislation which will allow fingerprints to check criminal records. Everyone taking the exam from now on will be checked for criminal records. Staff will prepare a report for the Board's approval. The process will now be computer based and not take as much staff time. The fingerprint check will also be completed at renewal.

Mr. Hedges noted the start-up and ongoing costs are cost effective considering the saving of staff time.

- **Agenda Item #9, TEXTBOOK APPROVAL**

At their November 14th meeting, the Licensing and Exam Committee discussed textbook approval and are recommending to the Board that experts in the subject matter review the proposed textbooks and confirm it is accurate and comprehensive. The experts, along with staff, would then recommend adoption of the text to the Committee and the full Board. This process will be used for any new textbooks.

Sandra Bruce, of Milady, Thomson and Delmar Learning, attended the meeting and offered her support on this issue.

A member of the public requested a textbook tailored to the State of California, as opposed to nationwide. Ms. Bruce noted it was a matter of economics that this was not done. Readers are told to query their own state boards for specific state information. Mr. Hedges suggested supplements. Ms. Bruce stated her company would be happy to work with the Board to develop that.

An instructor from the public noted as long as a teacher has the textbook along with the Board's performance criteria, that is enough.

Upon a motion and a second, the recommendation of the Licensing and Examination Committee was approved by a unanimous vote.

- **Agenda Item #10, PUBLIC COMMENT**

David Galang, Skyline College, hoped the new textbooks and the tests worked together. Sometimes the new versions of the text leaves out information on former versions of the tests.

Jerry Tyler, Carlton Hair, noted recent issues he has been dealing with in his company. They include apprenticeship, externship program, mentoring, out of state licensing. He commended the Board on their strategic planning guidelines.

Lauri Biagi of Skyline College, noted that Skyline College does offer their services to the public even though they are a community college.

Karen Nielsen of Skyline College asked whether she should renew her instructor license. It will expire in December 2004.

Ms. Ciau advised her to send in the renewal form even though no fee was needed.

Mary Ann Haley, Solano Community College, commended the initiation of the fingerprinting process. It will assist applicants in timely processing their applications. Dr. Condon noted the Board does not have the statutory authority to conduct the fingerprint check when the student starts school. The check will be done whenever an application is submitted. Ms. Ciau noted the initial testing would take 48 hours, but if a rap sheet was noted, DOJ court records would then need to be requested. She suggested the applicant submit the certified court records, document of rehabilitation and a statement regarding the conviction, along with their application, to help speed up the process.

An unidentified female supported the Board in maintaining high standards, however she has a concern about the exam scoring issue of allowing 5 extra points for the practical exam. She feels it is the student's responsibility to pass the exam.

An unidentified female requested the exam to be offered in other languages, specifically Persian.

Dr. Condon explained that this was not currently on the Board's strategic plan, but that it is an issue they will address in the future.

An unidentified female is opposed to the exam being offered in other languages. Many products used in the industry are not always printed in other languages.

An unidentified female asked why students are allowed to attend school without a social security number.

Dr. Condon noted a person cannot obtain a license without a social security number.

- **Agenda Item #11, AGENDA ITEMS FOR NEXT MEETING**

It was determined that the agenda items for the next Board meeting should be parliamentary procedure, task force, proposed language for instructor qualifications, disciplinary review workshop, items from committees,

Dr. Condon recessed for lunch at 11:30, to be reconvened at 1:00 p.m.

- **Agenda Item #12, PETITION FOR REINSTATEMENTS**

Maria D. Alvarado, Rosa Vazquez-Gutierrez and Edward Davis.

- **Agenda Item #13, DECISIONS ON REINSTATEMENTS AND DISCIPLINARY CASES [CLOSED PURSUANT TO GOVERNMENT CODE SECTION 11126 (C)(3)]**

- **Agenda Item # 14, ADJOURNMENT**

The meeting was adjourned at approximately 3:40 p.m.